

STATE OF NEW HAMPSHIRE
BOARD OF PHARMACY

September 14, 2005

A regular meeting of the New Hampshire Board of Pharmacy was held on **September 14, 2005** at the Board office, 57 Regional Drive, Concord, New Hampshire. The meeting was **called to order at 9:09 a.m.** with President Margaret E. Hayes presiding.

I. ROLL CALL - AGENDA REVIEW - ANNOUNCEMENTS

PRESENT

Margaret E. Hayes, President
Kristina Genovese, Vice-President
George L. Bowersox, Treasurer
Sandra B. Keans, Secretary
Vahrij Manoukian, Member
Ronald L. Petrin, Member

ALSO PRESENT

Paul G. Boisseau,
Executive Secretary
Carl T. Kelly,
Compliance Investigator
Margaret A. Clifford,
Compliance Investigator

ABSENT

Peter A. Grasso, Chief Compliance Investigator

II. REVIEW/ADOPTION OF MINUTES

Minutes of the **August 17, 2005 regular meeting** of the Board were accepted as submitted. **(Manoukian/Bowersox). Voted (unanimous).**

III. LICENSING

A. Pharmacists

1. Disciplinary Hearing

EL-ALI, Mona

Nashua, NH

-NH License No. R1784

-Case File: ROI 26/05

Notice of Hearing issued July 22, 2005.

Failure to respond to continuing education audit.

Ms. El-Ali was not present for this hearing. No communication was received, by the Board, from Ms. El-Ali, or a representative acting on her behalf, requesting that this hearing be postponed. Accordingly, and as noted in the *Notice of Hearing*, the Board proceeded with the hearing in *absentia*.

Motion (Bowersox/Keans) to revoke the pharmacist license of Mona El-Ali effective immediately upon written notice mailed to the address of record as provided by Ms. El-Ali on her 2005 pharmacist license renewal application. Voted (unanimous).

2. Voluntary Surrender

FRAULINI, Michael M.

Franklin Furnace, OH

Alternate Address: Nashua, NH

-NH License No. 2125

-Case File: ROI 28/05

Motion (Genovese/Bowersox) to accept the *Voluntary Surrender* of Mr. Fraulini's NH pharmacist license effective immediately. Voted (unanimous).

B. Pharmacy Technicians

1. Disciplinary Hearing

MACLEOD, Melissa M.

Address Unknown

-NH Pharmacy Technician Registration No. PT2925

-Case File: ROI 02/05

Notice of Hearing issued August 2, 2005.

Ms. MacLeod was not present for this hearing. No communication was received, by the Board, from Ms. MacLeod, or a representative acting on her behalf, requesting that this hearing be postponed. Accordingly, and as noted in the *Notice of Hearing*, the Board proceeded with the hearing in *absentia*.

Motion (Genovese/Bowersox) to revoke the pharmacy technician registration of Melissa M. MacLeod effective immediately upon written notice mailed to the address of record as provided by Ms. MacLeod. Voted (passed – Commissioner Manoukian abstained).

2. Voluntary Surrender

SOBERON, Jennifer G.

Lawrence, MA

-NH Pharmacy Technician Registration No. PT2963

-Case File: ROI 04/05

Motion (Manoukian/Bowersox) to accept the Voluntary Surrender of Ms. Soberon's NH pharmacy technician registration effective immediately. Voted (unanimous).

C. **Pharmacy**

New

1. **STOP & SHOP PHARMACY #204**

137 Portsmouth Avenue

Exeter, NH 03833

Pharmacist-In-Charge: Christina Lunt, R.Ph.

NH Pharmacist License No. R1782

Corporate Officer/Supervisor: Joe Angileri, R.Ph.

Regional Pharmacy Manager

Application complete.

Motion (Keans/Bowersox) granting a temporary permit to Stop & Shop Pharmacy #204 located at 137 Portsmouth Avenue, Exeter, NH based upon the successful completion of the primary inspection, and issuance of the original permit upon successful completion of the secondary inspection pursuant to Ph 305.02. Voted (unanimous).

2. **TARGET PHARMACY T-2009**

220 South River Road

Bedford, NH 03110

Pharmacist-In-Charge: Meghann Jokela-Thompson, R.Ph.

NH Pharmacist License No. R1917

Corporate Officer/Supervisor: John Gregg, R.Ph.

Area Pharmacy Manager

Application complete.

Motion (Keans/Petrin) granting a temporary permit to Target Pharmacy T-2009 located at 220 South River Road, Bedford, NH based upon the successful completion of the primary inspection, and issuance of the original permit upon successful completion of the secondary inspection pursuant to Ph 305.02. Voted (unanimous).

IV. COMPLIANCE UNIT

A. Activity Report

- August 2005

Motion (Manoukian/Genovese) to accept the report as submitted. Voted (unanimous).

V. NEW BUSINESS

A. Election of Board Officers

- | | | |
|------------------|---|-------------------|
| • President | ⇒ | Kristina Genovese |
| • Vice President | ⇒ | George Bowersox |
| • Treasurer | ⇒ | Vahrij Manoukian |
| • Secretary | ⇒ | Sandra Keans |

Motion (Petrin/Keans) to nominate and elect the above-noted officers according to NH RSA 318:5, I. Voted (unanimous).

B. Board Approval of ACPE & CCAPP Accreditation

Motion (Bowersox/Genovese) to recognize and approve all pharmacy colleges, schools and universities whose entry-level professional degree (the doctor of pharmacy) programs are accredited by the Accreditation Council for Pharmacy Education and for the baccalaureate degree programs accredited by the Canadian Council for Accreditation of Pharmacy Programs, beginning in 1993 through June 30, 2004 only, according to RSA 318:18, I, (a). Voted (unanimous).

C. Pittsfield Medical Center
Pittsfield, NH

Members of the Board reviewed a request for opinion submitted by John F. Barksdale, M.D. relative to a certain protocol, developed by Dr. Barksdale's medical staff, which proposes an abbreviated process for the renewal of certain prescription medications when requested by the patient or the filling pharmacy.

While the Board understands and encourages innovative practice(s) to provide more efficient and safer delivery of healthcare, the proposal submitted by Dr. Barksdale falls within the jurisdiction of the practice of medicine and should be directed to the Board of Medicine.

No opinion relative to the content of the proposal/protocol was rendered by the Board.

D. Hurricane Katrina Evacuees and HIV Medications

At the request of Heather Hauck, MSW, Section Chief STD/HIV Section, and on behalf of the NH DHHS Division of Public Health, the Board reviewed the following proposal/protocol whereas:

- A few of the evacuees who are HIV+ and will need medications may formally or informally be located to NH.
- Evacuees may arrive with their medications in their LA, MS, or AL pharmacy bottles. NH pharmacies should honor those containers without a written prescription for refills or for initial fills if the client is out of medication entirely. The NH AIDS Drug Assistance Program will be doing an expedited enrollment/approval process to assist these clients with payment to the pharmacies.

Motion (Petrin/Bowersox) to grant a waiver of Ph 704.04(a) – (f), and any other relevant administrative rule(s) of the Board, to allow for the provision of non-controlled prescription medication(s) as defined in the above protocol. The filling pharmacist/pharmacy must document, to the best extent possible, verification that the individual presenting for such services is in fact an evacuee. This waiver will remain in effect for 60-days (terminating on November 13, 2005. Voted (unanimous).

E. Request for Approval of Transmission of Prescription Information Protocol

Mike Takach, R.Ph.
Director of Pharmacy Services
Martin's Point Healthcare
Portland, ME

Mr. Takach requested that the Board review and approve his protocol whereby the transmission of prescription information, directly from the patient's electronic health record (HER) and conveyed by a fax server and printed out on a fax machine located in a remote pharmacy, is in fact a valid prescription.

By consensus, the Board agrees that the protocol presented by Mr. Takach, is the same as that which was approved on January 16, 2002 pursuant to a request from Capital Region Primary Care, Concord, NH. Accordingly, the transmission is a valid prescription. Further, a fax "header" (cover sheet) is no longer required. The faxed prescription need not be manually signed by the prescriber, however, the prescriber's name should be clearly typed/printed on the face of the prescription.

This protocol is approved for the transmission, as described above, of non-controlled prescription drugs only. The receiving pharmacy should manage faxed prescriptions as "oral prescriptions" (i.e. customarily transmitted from the prescriber's location and to the pharmacy by telephone) and the word "fax" or "faxed" must be written or stamped on the face of the prescription.

VI. ADJOURNED 12:56 P.M.